

DRAFT of Meeting Minutes (Subject to Approval at next Full Panel Meeting)

Nuclear Decommissioning Citizens Advisory Panel (NDCAP)

Thursday, December 6, 2018

Vermont Agricultural Business Education Center, Maria Lawrence Room,

11 University Way, Brattleboro, VT

Meeting Minutes

NDCAP Members Present:

- **Chris Campany**, *Executive Director of the Windham Regional Commission (WRC), Panel Chair*
- **Lissa Weinmann** (*Brattleboro*), *citizen appointee of Senate President Pro Tempore Tim Ashe, Panel Vice-Chair*
- **June Tierney**, *Commissioner of Public Service, ex officio* [Arrived shortly after approval of the September 2018 meeting minutes]
- **Katie Buckley**, *Commissioner, Department of Housing and Community Development, designee for the Secretary of Commerce and Community Development*
- **Peter Walke**, *Deputy Secretary, Agency of Natural Resources, designee for the Secretary of Natural Resources*
- **Dr. Bill Irwin**, *Radiological and Toxicological Sciences Chief, designee for the Secretary of Human Services*
- **Michael Root**, *representing the Town of Vernon, VT*
- **Bob Leach** (*Brattleboro*), *citizen appointee of Governor Phil Scott (appointed October 2018)*
- **Derrik Jordan** (*Putney*), *citizen appointee of House Speaker Mitzi Johnson*
- **Representative-Elect Sara Coffey** (*Guilford*), *citizen appointee of House Speaker Mitzi Johnson (appointed September 2018)*
- **Corey Daniels**, *Director of Decommissioning, Entergy Nuclear Vermont Yankee (VY)*
- **Michael P. McKenney**, *Technical Coordinator, Entergy Nuclear Vermont Yankee*

The following NDCAP member was connected to the meeting via teleconference:

- **Bob Gustafson**, *Assistant Planning Chief, Radiological Emergency Preparedness, New Hampshire Emergency Management and Homeland Security, representing the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, NH, interim appointee of the NH Governor's Office* [Joined meeting late, due to technical difficulties, shortly after approval of the September 2018 meeting minutes]

The following NDCAP member were absent from the meeting:

- **VT State Representative Laura Sibilia**, *member of the VT House Committee on Energy & Technology*
- **VT State Senator Mark MacDonald**, *member of the VT Senate Committee on Natural Resources & Energy*

- **MA State Representative Paul W. Mark** (*Peru, MA*), representing the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, appointee of (former) MA Governor Deval Patrick

Three positions on the Panel are currently vacant.

Meeting called to order at **6:04 PM**; a video recording of the meeting is available online at <http://publicservice.vermont.gov/electric/ndcap> and at <https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-12618-mtg>.

Welcome, Opening Remarks & Overview of Meeting Agenda:

The Chair (Chris Campy) gave an overview of the meeting agenda and welcomed members of the public and the other Panel members to the meeting. With 11 Panel members initially present (and 13 members present through most of the meeting), there was a quorum.

Amendments to the Meeting Agenda: No additions to the meeting agenda were discussed or made.

Introduction of Panelists: Panel members briefly introduced themselves.

Approval of Meeting Minutes: Draft meeting minutes for the Panel's September 27, 2018 meeting were reviewed and approved unanimously by voice vote. (Motion made by Peter Walke, Bob Leach seconded.)

Entergy Update on Decommissioning Activities at VY:

Joe Lynch, Entergy Senior Manager for Government Affairs, presented an update on recent activities at the VY site. The US Nuclear Regulatory Commission (NRC) completed several onsite inspections during October and November. An update on the Groundwater Management Program was provided. Recent, planned departures of Entergy employees from the VY site and an overview of the remaining onsite staff were described. Modifications to the onsite rail spur and a recent site tour by several members of the Panel were also noted. The NRC approved the proposed VY sale to NorthStar on October 11; the **Vermont Public Utility Commission (PUC)** issued a similar approval earlier today. (Final execution of the sale is targeted for early 2019.) Updates on the Decommissioning Trust Fund and the Site Restoration Trust values were also provided. The slides for this presentation are available online at <http://publicservice.vermont.gov/electric/ndcap> and <http://vydecommissioning.com/ndcap/>.

State of Vermont Update on Decommissioning Activities at VY: June Tierney, VT Public Service Commissioner, provided a very brief State Activities update. The **PUC** ruled earlier today approving VY's sale to NorthStar. She noted that she was not ready to discuss the decision at this time, having only briefly skimmed today's PUC Orders. She did note that it did not appear that the PUC added any conditions to the MOU (Memorandum of Understanding) previously signed by most parties in the case. The State parties will gather to strategize how to track

1 compliance obligations that today's two Orders (the Order and its related Certificate of Public
2 Good) impose.

3 4 **PANEL QUESTIONS AND COMMENTS: On State and Entergy Updates**

5 Brief replies were provided by Panelists' questions on the following topics:

- 6 • The probable date for completing the VY sale
- 7 • The number of current Entergy employees that will work for NorthStar
- 8 • How many of these Entergy employees included onsite security (a complete answer
9 could not be provided due to security / nuclear safeguards information concerns)

10 11 **PUBLIC QUESTIONS AND COMMENTS: On State and Entergy Updates**

12 No questions were asked by members of the public.

13 14 **REVIEW AND COMMENT ON DRAFT ANNUAL REPORT TO LEGISLATURE:**

15 The Panel discussed the NDCAP draft Annual Report for 2018 that was compiled by State
16 Nuclear Engineer Tony Leshinskie and Panel Chair Chris Company (with assistance from Public
17 Service Department Staff and Contractor Erika Klemperer). The draft report is available at
18 <http://publicservice.vermont.gov/electric/ndcap>.

19
20 Panel Chair Chris Company outlined a plan for completing the Annual Report. The current draft
21 is to be reviewed between now and the January meeting. Comments, wordsmithing, etc.
22 should be email to the Chair (Chris) and the State Nuclear Engineer (Tony Leshinskie) for
23 incorporation into the final draft of the report. The final report will be voted on at the Panel's
24 January meeting.

25
26 Based on comments from individual Panel members and discussion with the State Nuclear
27 Engineer, several modifications were **suggested** for the draft report. The report will be updated
28 and finalized for approval at the Panel's planned January 2019 meeting. It will be presented to
29 the Legislature shortly thereafter with a request to provide funding for several Panel support
30 functions. Change requests from the Panelists included:

- 31 • Additional discussion of Congressman Welch's Stranded Act
- 32 • Budgeting administrative support expenses for Panel **if the recap of the May meeting's**
33 **discussion of these matters is insufficient.**
- 34 • **A brief summary that summarizes** the PUC decision (approving VY sale), **similar in scope**
35 **to the summary of the NRC decision already included in the document.**
- 36 • More consistent formatting of items throughout the document

37
38 Chairman Company noted that the Annual Report draft identifies items that had been discussed
39 at NDCAP meetings throughout the year. Specific requests to the Legislature can be made once
40 the impact of the NRC and PUC orders (permitting VY's sale) is better understood by
41 organizations such as NorthStar and State **agencies, and what their public reporting and**
42 **engagement requirements imply for NDCAP's role going forward.**

1 By consensus, the Panel agreed to move forward with completing the Annual Report as
2 outlined by the Chair during tonight's discussion.

3
4 **PANEL OBSERVATIONS FROM NOVEMBER 8, 2018 VT YANKEE SITE TOUR:**

5 Nine Panel members toured the VY site and observed current site conditions. Panel member
6 Corey Daniels updated the other eight members of the Panel on the completed transfer of all
7 spent fuel to dry cask storage and the recent reduction of the VY "Protected Area" to only the
8 dry cask storage pads and the new Central Alarm Station Building. Exterior conditions within
9 VY's Industrial Area were also observed. Panel members attending the tour were: Bill Irwin,
10 Chris Campany, Michael Root, Bob Leach, Lissa Weinmann, Sara Coffey, Derrik Jordan, Corey
11 Daniels, and Bob Gustafson. The Panel members discussed individual observations from the
12 tour, namely that:

13
14 The tour was a reminder of the dramatic shift that the Town of Vernon is experiencing due to
15 VY's shut down and a major loss of revenue for the region. How will Town of Vernon liaise with
16 NorthStar and should it also liaise more with the Panel? Concern was expressed on the long-
17 term approach for radiological and hazardous waste removal, **specifically traffic through the**
18 **town**. It was also questioned whether the monitoring of air quality would continue. Concern
19 was expressed that future redevelopment of the VY site will likely not happen until spent
20 nuclear fuel is no longer on site.

21
22 Several Panel members agreed to action items to address issues raised during this discussion.

- 23 • Michael Root agreed to invite the Vernon Select Board to the January NDCAP meeting
- 24 • Commissioner Tierney agreed to provide weblinks to pertinent VY Sale Docket
- 25 documents (the MOU, the PUC Order and the CPG for the case) **in the minutes of this**
- 26 **meeting** to keep the public up to date on commitments in place as a result of the VY
- 27 Sale approval.

28
29 The VY Sale MOU may be found at:

30 <https://publicservice.vermont.gov/content/docket-8880-memorandum-understanding-vy-sale>

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32 The VY Sale PUC Order may be found at:

33 <https://publicservice.vermont.gov/content/docket-8880-puc-order-approving-vy-sale-0>

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35 The VY Sale Certificate of Public Good (CPG) may be found at:

36 <https://publicservice.vermont.gov/content/docket-8880-certificate-public-good-approving-vy-sale>

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38 Additional documents from the VY Sale PUC case are available at:

39 <https://epuc.vermont.gov/?q=node/64/27332>.

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41 **GENERAL PUBLIC COMMENTS TO THE PANEL**

42 No questions or comments were asked or made by members of the public.

1 **SCHEDULING NEXT MEETING**

2 The Panel discussed possible dates for a January meeting. By consensus, Thursday, January 24,
3 2019 at 6 PM was chosen as the next meeting date. In case of poor weather conditions that
4 evening, January 31st was chosen as an alternate (snow) date.
5

6 By consensus, it was agreed that the January meeting agenda will focus on 1) what the PUC and
7 NRC orders say, with an emphasis on reporting requirements to the public; 2) which state
8 agencies will have which oversight roles; and 3) public reporting requirements per the rules and
9 regulations of the state oversight agencies, leading to a discussion about the roles for the Panel
10 in informing the public and advising state government moving forward. The Panel will finalize
11 and approve the 2018 Annual Report to the Legislature. Reconstituting the Issues Committee
12 for setting future meeting agendas will also be discussed.
13

14 The Panel's second meeting in 2019 was tentatively set for some time in April.
15

16 **WRAP-UP AND ADJOURN**

17 Tony Leshinskie (State Nuclear Engineer) provided an update on the January 2019 meeting
18 space: several locations in the Vernon/Brattleboro area are being considered. Email
19 notifications will be sent out on January 24 if the meeting is canceled due to weather. Panelists
20 and meeting attendees are encouraged to check the NDCAP website
21 (<https://publicservice.vermont.gov/electric/ndcap>) prior to travelling to the announced
22 meeting site to confirm whether the January 24 meeting will take place.
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24 Anyone wishing to be included on the meeting update / cancellation notification email list
25 should contact Tony at anthony.leshinskie@vermont.gov.
26

27 In response to a suggestion from a member of the public (Carol Levin), Tony Leshinskie will
28 pursue having any meeting cancellation announcement broadcast on Brattleboro radio stations
29 WTSA and WKVT.
30

31 **Next meeting:** January 24, 2019 at 6:00 PM at a site to be determined in the
32 Vernon/Brattleboro area; the snow date for this meeting is January 31.
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34 **MEETING ADJOURNED AT 7:01 PM** (Motion made by Peter Walke, Bob Leach seconded;
35 unanimously approved by voice vote.)